

BILL ANALYSIS

Senate Research Center
85R4903 AJZ-D

H.B. 785
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Health & Human Services
5/13/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties note the opportunities that can arise for potential recipients of human embryos when in vitro fertilization (IVF) patients donate the embryos left unused after the IVF process is complete as an alternative to preserving or destroying the embryos. H.B. 785 seeks to encourage such donations by providing for the dissemination of embryo donation information by a physician performing an assisted reproduction procedure involving embryo creation and the Department of Family and Protective Services (DFPS).

H.B. 785 amends the Occupations Code to require a physician who performs on a patient an assisted reproduction procedure that involves the creation of a human embryo to inform the patient of the option of embryo donation for unused human embryos. The bill defines, among other terms, "embryo donation" as the act of transferring to another person a human embryo for implantation in any person who is not a genetic parent of the human embryo or the spouse of a genetic parent of the human embryo.

H.B. 785 amends the Family Code to require DFPS to post information regarding embryo donation on its website and to require the information to include contact information for nonprofit organizations that facilitate embryo donation.

H.B. 785 amends current law relating to the provision of embryo donation information.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 159, Occupations Code, by adding Section 159.011, as follows:

Sec. 159.011. INFORMATION ABOUT EMBRYO DONATION. (a) Defines "assisted reproduction," "embryo donation," and "human embryo."

SECTION 2. Amends Chapter 162, Family Code, by adding Subchapter H, as follows:

SUBCHAPTER H. EMBRYO DONATION INFORMATION

Sec. 162.701. DEFINITIONS. Defines "department" and "embryo donation."

Sec. 160.702. INFORMATION REGARDING EMBRYO DONATION. Requires the Department of Family and Protective Services (DFPS) to post information regarding embryo donation on the DFPS's Internet website. Requires that the information include contact information for nonprofit organizations that facilitate embryo donation.

SECTION 3. Effective date: September 1, 2017.